

# Daily Digest

## Senate

### Chamber Action

#### *Routine Proceedings, pages S10289–S10379*

**Measures Introduced:** Two bills and one resolution were introduced, as follows: S. 2885–2886, and S. Res. 446. **Pages S10365–66**

#### **Measures Reported:**

S. 2688, to provide for a report of Federal entities without annually audited financial statements. (S. Rept. No. 108–383).

S. 2686, to amend the Carl D. Perkins Vocational and Technical Education Act of 1998 to improve the Act, with an amendment in the nature of a substitute. (S. Rept. No. 108–384).

H.R. 867, for the relief of Durreshahwar Durreshahwar, Nida Hasan, Asna Hasan, Anum Hasan, and Iqra Hasan.

S. 115, for the relief of Richi James Lesley.

S. 353, for the relief of Denes and Gyorgyi Fulop.

S. 1042, for the relief of Tchisou Tho.

S. 1635, to amend the Immigration and Nationality Act to ensure the integrity of the L–1 visa for intracompany transferees, with an amendment in the nature of a substitute.

S. 1784, to eliminate the safe-harbor exception for certain packaged pseudoephedrine products used in the manufacture of methamphetamine.

S. 2012, for the relief of Luay Lufti Hadad.

S. 2044, for the relief of Alemseghed Mussie Tesfamical.

S. 2089, to allow aliens who are eligible for diversity visas to be eligible beyond the fiscal year in which they applied.

S. 2314, for the relief of Nabil Raja Dandan, Ketty Dandan, Souzi Dandan, Raja Nabil Dandan, and Sandra Dandan.

S. 2331, for the relief of Fereshteh Sani.

**Page S10365**

#### **Measures Passed:**

**Congressional Accountability Act:** Senate passed H.R. 5122, to amend the Congressional Accountability Act of 1995 to permit members of the Board of Directors of the Office of Compliance to serve for

2 terms, after agreeing to the following amendment proposed thereto as follows: **Page S10378**

Collins (for Lott) Amendment No. 3954, relating to the effective date. **Page S10378**

**Honoring Former President Jimmy Carter:** Senate agreed to S. Res. 446, honoring former President James Earl (Jimmy) Carter on the occasion of his 80th birthday. **Pages S10378–79**

**National Intelligence Reform Act:** Senate continued consideration of S. 2845, to reform the intelligence community and the intelligence and intelligence-related activities of the United States Government, taking action on the following amendments proposed thereto: **Pages S10296–S10358**

Adopted:

Collins/Lieberman Amendment No. 3950 (to Amendment No. 3705), to make certain technical amendments. **Pages S10309–10**

Collins Amendment No. 3705, to provide for homeland security grant coordination and simplification. **Pages S10296, S10310, S10315–16**

Warner Further Modified Amendment No. 3877, to modify the role of the National Intelligence Director in the appointment of intelligence officials of the United States Government. **Pages S10296, S10327**

Stevens Modified Amendment No. 3829, to modify and clarify the effective date provisions. **Pages S10296, S10329**

Stevens Modified Amendment No. 3826, to modify the duties of the Director of the National Counterterrorism Center as the principal advisor to the President on counterterrorism matters. **Pages S10296, S10330–31**

Roberts Modified Amendment No. 3740, to make certain revisions to the bill, including providing for conforming amendments on responsibilities of the Secretary of Defense pertaining to the National Intelligence Program. **Pages S10296, S10331–32**

Roberts Modified Amendment No. 3748, to clarify the duties and responsibilities of the Ombudsman of the National Intelligence Authority and of the Analytic Review Unit within the Office of the Ombudsman. **Pages S10296, S10332**

Lieberman (for Nelson (FL)) Modified Amendment No. 3841, to require the Secretary of Homeland Security to implement a watchlist for passengers of cruise ships.  
**Pages S10296, S10351–58**

Lieberman (for Akaka) Modified Amendment No. 3833, to require a report on the implementation of recommendations of the Defense Science Board on preventing and defending against clandestine nuclear attack.  
**Pages S10351–58**

Collins (for Snowe) Modified Amendment No. 3910, to require a study regarding establishing a secure facility for high-threat international cargo aircraft.  
**Pages S10351–58**

Lieberman (for Boxer) Amendment No. 3836, to authorize the Secretary of Homeland Security to award grants to improve first-responder communications systems.  
**Pages S10351–58**

Lieberman (for Inouye) Modified Amendment No. 3757, to require the Secretary of Homeland Security to report to the Congress on the technological capabilities and equipment for Transportation Security Administration field offices.  
**Pages S10351–58**

Collins (for Domenici) Modified Amendment No. 3859, to provide that an authorized national intelligence center address each of the nuclear terrorism threats, chemical terrorism threats, and biological terrorism threats confronting the United States.  
**Pages S10351–58**

Collins (for Domenici) Amendment No. 3860, to improve the working relationship between the intelligence community and the National Infrastructure Simulation and Analysis Center.  
**Pages S10351–58**

Allard Amendment No. 3778, to improve the management of the personnel of the National Intelligence Authority.  
**Pages S10296, S10351–58**

Collins (for Specter) Modified Amendment No. 3818, to require a study relative to a nationwide interoperable communications network.  
**Pages S10351–58**

Lieberman (for Jeffords) Modified Amendment No. 3832, to provide for communications equipment interoperability.  
**Pages S10351–58**

Lieberman (for Bingaman) Amendment No. 3814, to provide the sense of Congress that United States foreign assistance should be provided to South Asia, Southeast Asia, West Africa, the Horn of Africa, North and North Central Africa, the Arabian peninsula, Central and Eastern Europe, and South America to prevent the establishment of terrorist sanctuaries.  
**Pages S10351–58**

Lieberman (for Hollings) Amendment No. 3901, to require certain overdue reports relating to maritime security to be transmitted to the Congress within 90 days.  
**Pages S10351–58**

Reid (for Durbin) Amendment No. 3923, to ensure the balance of privacy and civil liberties.  
**Pages S10344, S10351–58**

Lieberman (for Levin/Coleman) Modified Amendment No. 3867, to curtail the international financing of terrorism, and to impose a one-year cooling off period for former Federal bank examiners.  
**Pages S10351–58**

Collins (for Allard) Modified Amendment No. 3722, to facilitate the utilization of United States commercial remote sensing space capabilities for filling imagery and geospatial information requirements.  
**Pages S10351–58**

Levin/Alexander Amendment No. 3825, to permit reviews of criminal records of applicants for private security officer employment.  
**Pages S10321–22, S10351–58**

Lieberman (for Feingold) Modified Amendment No. 3762, to improve information-sharing by the national intelligence centers.  
**Pages S10351–58**

Lieberman (for Kennedy) Amendment No. 3952, to provide protections for human subjects in research conducted or supported by the Department of Homeland Security.

Rejected:

Byrd Amendment No. 3845, to enhance the role of Congress in the oversight of the intelligence and intelligence-related activities of the United States Government. (By 62 yeas to 29 nays (Vote No.195), Senate tabled the amendment.)  
**Pages S10296–S10309, S10310–15, S10327–29**

Collins (for Stevens) Modified Amendment No. 3903, to modify the provisions relating to the availability to the public of intelligence funding information. (By 55 yeas to 37 nays (Vote No. 196), Senate tabled the amendment.)  
**Pages S10296, S10324–27, S10329–30**

Subsequently, the motion to reconsider the vote by which Senate tabled Collins (for Stevens) Modified Amendment No. 3903 (listed above) was tabled.  
**Page S10330**

Withdrawn:

Roberts Amendment No. 3741, to permit the National Intelligence Director to modify National Intelligence Program budgets before their approval and submittal to the President.  
**Pages S10296, S10332**

Roberts Amendment No. 3744, to clarify the limitation on the transfer of funds and personnel and to preserve and enhance congressional oversight of intelligence activities.  
**Pages S10296, S10332**

Roberts Amendment No. 3751, to clarify the responsibilities of the Secretary of Defense pertaining to the National Intelligence Program.  
**Pages S10296, S10332**

Pending:

Lautenberg Amendment No. 3767, to specify that the National Intelligence Director shall serve for one or more terms of up to 5 years each. **Page S10296**

Kyl Amendment No. 3801, to modify the privacy and civil liberties oversight. **Page S10296**

Feinstein Amendment No. 3718, to improve the intelligence functions of the Federal Bureau of Investigation. **Page S10296**

Stevens Amendment No. 3839, to strike section 201, relating to public disclosure of intelligence funding. **Page S10296**

Ensign Amendment No. 3819, to require the Secretary of State to increase the number of consular officers, clarify the responsibilities and functions of consular officers, and require the Secretary of Homeland Security to increase the number of border patrol agents and customs enforcement investigators. **Page S10296**

Reid (for Schumer) Amendment No. 3887, to amend the Foreign Intelligence Surveillance Act of 1978 to cover individuals, other than United States persons, who engage in international terrorism without affiliation with an international terrorist group. **Page S10296**

Reid (for Schumer) Amendment No. 3888, to establish the United States Homeland Security Signal Corps to ensure proper communications between law enforcement agencies. **Page S10296**

Reid (for Schumer) Amendment No. 3889, to establish a National Commission on the United States-Saudi Arabia Relationship. **Page S10296**

Reid (for Schumer) Amendment No. 3890, to improve the security of hazardous materials transported by truck. **Page S10296**

Reid (for Schumer) Amendment No. 3891, to improve rail security. **Page S10296**

Reid (for Schumer) Amendment No. 3892, to strengthen border security. **Page S10296**

Reid (for Schumer) Amendment No. 3893, to require inspection of cargo at ports in the United States. **Page S10296**

Reid (for Schumer) Amendment No. 3894, to amend the Homeland Security Act of 2002 to enhance cybersecurity. **Page S10296**

Leahy/Grassley Amendment No. 3945, to require Congressional oversight of translators employed and contracted for by the Federal Bureau of Investigation. **Page S10296**

Reed Amendment No. 3908, to authorize the Secretary of Homeland Security to award grants to public transportation agencies to improve security. **Page S10296**

Reid (for Corzine/Lautenberg) Amendment No. 3849, to protect human health and the environment

from the release of hazardous substances by acts of terrorism. **Page S10296**

Reid (for Lautenberg) Amendment No. 3782, to require that any Federal funds appropriated to the Department of Homeland Security for grants or other assistance be allocated based strictly on an assessment of risks and vulnerabilities. **Page S10296**

Reid (for Lautenberg) Amendment No. 3905, to provide for maritime transportation security. **Page S10296**

Reid (for Harkin) Amendment No. 3821, to modify the functions of the Privacy and Civil Liberties Oversight Board. **Page S10296**

Roberts Amendment No. 3739, to ensure the sharing of intelligence information in a manner that promotes all-sources analysis and to assign responsibility for competitive analysis. **Page S10296**

Roberts Amendment No. 3750, to clarify the responsibilities of the Directorate of Intelligence of the National Counterterrorism Center for information-sharing and intelligence analysis. **Page S10296**

Roberts Amendment No. 3747, to provide the National Intelligence Director with flexible administrative authority with respect to the National Intelligence Authority. **Page S10296**

Roberts Amendment No. 3742, to clarify the continuing applicability of section 504 of the National Security Act of 1947 to the obligation and expenditure of funds appropriated for the intelligence and intelligence-related activities of the United States. **Page S10296**

Kyl Amendment No. 3926, to amend the Immigration and Nationality Act to ensure that non-immigrant visas are not issued to individuals with connections to terrorism or who intend to carry out terrorist activities in the United States. **Page S10296**

Kyl Amendment No. 3881, to protect crime victims' rights. **Page S10296**

Kyl Amendment No. 3724, to strengthen anti-terrorism investigative tools, promote information sharing, punish terrorist offenses. **Page S10296**

Stevens Amendment No. 3827, to strike section 206, relating to information sharing. **Pages S10296, S10331**

Stevens Amendment No. 3840, to strike the fiscal and acquisition authorities of the National Intelligence Authority. **Page S10296**

Stevens Amendment No. 3882, to propose an alternative section 141, relating to the Inspector General of the National Intelligence Authority. **Page S10296**

Collins (for Inhofe) Amendment No. 3946 (to Amendment No. 3849), in the nature of a substitute. **Page S10296**

Sessions Amendment No. 3928, to require aliens to make an oath prior to receiving a nonimmigrant visa. **Page S10296**

Sessions Amendment No. 3873, to protect railroad carriers and mass transportation from terrorism. **Page S10296**

Sessions Amendment No. 3871, to provide for enhanced Federal, State, and local enforcement of the immigration laws. **Pages S10296, S10344–45**

Sessions Amendment No. 3870, to make information sharing permanent under the USA PATRIOT Act. **Page S10296**

Warner Amendment No. 3876, to preserve certain authorities and accountability in the implementation of intelligence reform. **Page S10296**

Collins (for Cornyn) Amendment No. 3803, to provide for enhanced criminal penalties for crimes related to alien smuggling. **Page S10296**

Collins (for Baucus/Roberts) Modified Amendment No. 3768, to require an annual report on the allocation of funding within the Office of Foreign Assets Control of the Department of the Treasury. **Page S10296**

Frist (for McConnell) Amendment No. 3930, to clarify that a volunteer for a federally-created citizen volunteer program and for the program's State and local affiliates is protected by the Volunteer Protection Act. **Page S10296**

Frist (for McConnell) Amendment No. 3931, to remove civil liability barriers that discourage the donation of equipment to volunteer fire companies. **Page S10296**

Levin Modified Amendment No. 3809, to exempt military personnel from certain personnel transfer authorities. **Pages S10321–22**

Levin Amendment No. 3810, to clarify the definition of National Intelligence Program. **Pages S10321–22**

Stevens Amendment No. 3830, to modify certain provisions relating to the Central Intelligence Agency. **Page S10331**

Warner Amendment No. 3875, to clarify the definition of National Intelligence Program. **Pages S10334–38**

Warner Amendment No. 3874, to provide for the treatment of programs, projects, and activities within the Joint Military Intelligence Program and Tactical Intelligence and Related Activities programs as of the date of the enactment of the Act. **Pages S10334–38**

Reid (for Leahy) Amendment No. 3913, to address enforcement of certain subpoenas. **Pages S10338–39**

Reid (for Leahy) Amendment No. 3915, to establish criteria for placing individuals on the consolidated screening watch list of the Terrorist Screening Center. **Pages S10338–39**

Reid (for Leahy) Amendment No. 3916, to strengthen civil liberties protections. **Pages S10338–39**

Collins (for Frist) Modified Amendment No. 3895, to establish the National Counterproliferation Center within the National Intelligence Authority. **Pages S10342–44**

Collins (for Frist) Amendment No. 3896, to include certain additional Members of Congress among the congressional intelligence committees. **Pages S10342–44**

Sessions (for Grassley) Amendment No. 3850, to require the inclusion of information regarding visa revocations in the National Crime Information Center database. **Page S10345**

Sessions (for Grassley) Amendment No. 3851, to clarify the effects of revocation of a visa. **Page S10345**

Sessions (for Grassley) Amendment No. 3855, to combat money laundering and terrorist financing, to increase the penalties for smuggling goods into the United States. **Page S10345**

Sessions (for Grassley) Amendment No. 3856, to establish a United States drug interdiction coordinator for Federal agencies. **Page S10345**

Sessions/Ensign Amendment No. 3872, to amend the Immigration and Nationality Act to require fingerprints on United States passports and to require countries desiring to participate in the Visa Waiver Program to issue passports that conform to the biometric standards required for United States passports. **Page S10345**

A unanimous-consent agreement was reached providing that Members have until 9:45 a.m. on Tuesday, October 5, 2004, in order to file second degree amendments as under rule 22. **Page S10379**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:40 a.m., Tuesday, October 4, 2004, with a vote on the motion to invoke cloture to occur at 9:45 a.m. **Page S10379**

**Miscellaneous Trade and Technical Corrections Act:** Senate insisted on its amendment, agreed to the House request for a conference, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Grassley, Frist, and Baucus. **Page S10379**

#### Appointments:

*Commission on the Abraham Lincoln Study Abroad Fellowship Program:* The Chair, on behalf of the Majority Leader and Democratic Leader of the Senate and the Speaker of the House of Representatives and Minority Leader of the House of Representatives, pursuant to Public Law 108–199, Section 104(c)(1), announced the joint appointment of the following individual to serve as Chairman of the

**Commission on the Abraham Lincoln Study  
Abroad Fellowship Program: Peter McPherson.**

**Page S10378**

**Executive Communications: Pages S10363–65**

**Executive Reports of Committees: Page S10365**

**Additional Cosponsors: Pages S10366–67**

**Statements on Introduced Bills/Resolutions:  
Pages S10367–69**

**Additional Statements: Pages S10362–63**

**Amendments Submitted: Pages S10369–77**

**Notices of Hearings/Meetings: Page S10377**

**Authority for Committees to Meet: Page S10377**

**Privilege of the Floor: Page S10378**

**Record Votes:** Two record votes were taken today.  
(Total—196) **Pages S10328–29, S10330**

**Adjournment:** Senate convened at 10 a.m., and adjourned at 9:18 p.m., until 9 a.m., on Tuesday, October 5, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S10379.)

## ***Committee Meetings***

*(Committees not listed did not meet)*

### **BUSINESS MEETING**

*Committee on the Judiciary:* Committee ordered favorably reported the following business items:

S. 1784, to eliminate the safe-harbor exception for certain packaged pseudoephedrine products used in the manufacture of methamphetamine;

S. 2089, to allow aliens who are eligible for diversity visas to be eligible beyond the fiscal year in which they applied;

S. 115, for the relief of Richi James Lesley;

S. 2331, for the relief of Fereshteh Sani;

S. 1042, for the relief of Tchisou Tho;

S. 2314, for the relief of Nabil Raja Dandan, Ketty Dandan, Souzi Dandan, Raja Nabil Dandan, and Sandra Dandan;

S. 353, for the relief of Denes and Gyorgyi Fulop;

H.R. 867, for the relief of Durrehshahwar Durrehshahwar, Nida Hasan, Asna Hasan, Anum Hasan, and Iqra Hasan;

S. 2012, for the relief of Luay Lufti Hadad;

S. 2044, for the relief of Alemseghed Mussie Tesfamikal; and

The nominations of Susan Bieke Neilson, of Michigan, to be United States Circuit Judge for the Sixth Circuit, Christopher A. Boyko, to be United States District Judge for the Northern District of Ohio, and Beryl A. Howell, of the District of Columbia, to be a Member of the United States Sentencing Commission.

# **House of Representatives**

## ***Chamber Action***

**Measures Introduced:** 9 public bills, H.R. 5201–5209; and 6 resolutions, H. Con. Res. 508–509, and H. Res. 815–818, were introduced.

**Page H8038**

**Additional Cosponsors: Pages H8038–39**

**Reports Filed:** Reports were filed today as follows:

S. 551, to provide for the implementation of air quality programs developed in accordance with an Intergovernmental Agreement between the Southern Ute Indian Tribe and the State of Colorado concerning Air Quality Control on the Southern Ute Indian Reservation (H. Rept. 108–712, Pt. 2);

S. 1814, to transfer federal lands between the Secretary of Agriculture and the Secretary of the Interior (H. Rept. 108–716, Pt. 1);

H.R. 3176, to designate the Ojito Wilderness Study Area as wilderness, to take certain land into trust for the Pueblo of Zia, amended (H. Rept. 108–717);

H.R. 4389, to authorize the Secretary of the Interior to construct facilities to provide water for irrigation, municipal, domestic, military, and other uses from the Santa Margarita River, California (H. Rept. 108–718, Pt. 1);

H.R. 3391, to authorize the Secretary of the Interior to convey certain lands and facilities of the Provo River Project, amended (H. Rept. 108–719);

H.R. 4593, to establish wilderness areas, promote conservation, improve public land, and provide for the high quality development in Lincoln County, Nevada, amended (H. Rept. 108–720);

H.R. 4667, to authorize and facilitate hydroelectric power licensing of the Tapoco Project (H. Rept. 108–721, Pt. 1);

Investigation of Certain Allegations Related to Voting on the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (H. Rept. 108–722);

H. Res. 814, providing for consideration of S. 878, to authorize an additional permanent judgeship in the district of Idaho (H. Rept. 108–723); and